

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

MELODY JACKSON HALE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:19-cv-01197-TWP-MJD
	)	
INDIANA DEPARTMENT OF CHILD	)	
SERVICES, and	)	
KOSCIUSKO COUNTY DEPARTMENT OF	)	
CHILD SERVICES,	)	
	)	
Defendants.	)	

**ENTRY DISMISSING ACTION AND  
DIRECTING ENTRY OF FINAL JUDGMENT**

On March 26, 2019, Plaintiff Melody Jackson Hale (“Plaintiff”) filed a Complaint and a Non-Prisoner Request to Proceed in District Court Without Prepaying the Filing Fee. Having granted Plaintiff *in forma pauperis* status, the Court screened the Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) (*see* [Filing No. 5](#)). The Court determined that this action is subject to dismissal for lack of jurisdiction because of a lack of diversity jurisdiction and because of sovereign immunity of the defendants. Plaintiff’s Complaint raised a state law tort claim for infliction of emotional distress, seeking monetary damages in the amount of \$3,000,000.00 against defendants that share the same state citizenship of Plaintiff. The Court granted Plaintiff an opportunity to show cause why this action should not be dismissed for lack of jurisdiction.

On April 29, 2019, Plaintiff responded to the show cause order and submitted thirty-four pages of evidence or support documentation ([Filing No. 7](#)). While the documentation submitted by the Plaintiff appears to provide support for her allegations contained in the Complaint, the documentation fails to cure the jurisdictional defects that the Court raised in its Screening Order.

The Plaintiff's new filing fails to show that diversity jurisdiction exists, and it does not raise a federal question. The Plaintiff's documents also do not show that sovereign immunity is inapplicable in this case. While the Plaintiff may have a claim that can be asserted in state court, the Court must dismiss this action because jurisdiction does not exist over Plaintiff's claim in federal court. Therefore, this action is **dismissed for lack of jurisdiction**. Final judgment consistent with this Entry will be issued under separate order.

**SO ORDERED.**

Date: 6/28/2019



TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

Melody Jackson Hale  
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Elwood, IN 46036